

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RANDOLPH ELLIS, husband and wife; and DEBRA
ELLIS, husband and wife;

Plaintiffs,

vs.

MACHINERYLINK, INC., a Delaware Corporation; and
MLI TRANSPORT, LLC, a Kansas limited liability
company;

Defendants.

8:13CV273

ORDER

This matter is before the Court on the joint stipulation of plaintiffs Randolph and Debra Ellis and defendant MachineryLink, Inc., pursuant to [Fed.R.Civ.P.41\(a\)\(ii\)](#). The parties jointly agree to the dismissal of MachineryLink, Inc. from this case. The parties further request that this Court retain jurisdiction over this action with regard to plaintiffs' claims against MLI Transport, LLC. The parties also agree that the pending motion for summary judgment, [Filing No. 42](#), is resolved as a result of this stipulation.

THEREFORE, IT IS ORDERED THAT:

1. Pursuant to the joint stipulation of the parties, [Filing No. 45](#), MachineryLink, Inc. is dismissed from this case.
2. The Court retains jurisdiction over this action with regard to plaintiffs' claims against MLI Transport, LLC.
3. The motion for summary judgment, [Filing No. 42](#), is denied as moot.

Dated this 11th day of July, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge